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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,797	12/12/2003	Daniel Sheinbein	2003P09833 US01	3864

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EXAMINER	
VU, MICHAEL T	
ART UNIT	**PAPER NUMBER**
2617	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/735,797	SHEINBEIN ET AL.	
	Examiner	Art Unit	
	Michael Vu	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 January 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,12-20 and 24-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,12-20 and 24-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 June 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *01/20/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1, 13 and 25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9, 12-20, 24-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwab (US 2002/0122545) in view of Baiyor (US 6,366,660).

Regarding **claim 1**, Schwab teaches a method of processing calls comprising the steps of: redirecting the call to the second network element; checking at the second network element whether at least one of simultaneous and sequential routing is active, and if active, accessing a list listing a plurality subscriber destinations and originating call legs for subscriber destinations in the list according to the results of the checking step; and if not active, applying default routing of the call to the destination address [0006-0048, 0065-0067, 0102, 0104, 0107, 0116], **but is silent on** receiving a call that specifies a destination address, and determining at a first network element whether redirecting of the call to a second network element is active, and if active.

However, Baiyor teaches the system and method of the variable alerting patterns for multiple leg telecommunication sessions, which is routing incoming calls outgoing calls (or legs) for a flexible alerting service over the different network topologies, and further determined that the sequential and simultaneous alerting in a wireless or wire-line communication system (Fig. 6 and Fig. 7, different networks, C12, L28-52, and C2, L4-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwab, such that receiving a call that specifies a destination address, and determining at a first network element whether redirecting of the call to a second network element is active, and if active, to provide a call routing that affords the subscriber a great flexibility, or user friendly of incoming calls or multiple leg calls.

Regarding **claim 2**, Schwab/Baiyor teach the method of claim 1, wherein the originating step simultaneously originates a plurality of call legs when the checking step determines that simultaneous routing is active [0009-0021] of Schwab.

Regarding **claim 3,** Schwab/Baiyor teach the method of claim 1, wherein the originating step sequentially originates a plurality of call legs when the checking step determines that sequential routing is active [0009-0021] of Schwab.

Regarding **claim 4,** Schwab/Baiyor teach the method of claim 3, the method as recited in claim 3, when the step of checking routing parameters includes at least one of time of day, day of week, and calling party identity [0002-0003, 0029, 0046, 0065] of Schwab.

Regarding **claim 5,** Schwab/Baiyor teach the method as recited in claim 1, further comprising starting a timer for timing duration of the originated call legs [0087, 0102] of Schwab.

Regarding **claim 6,** Schwab/Baiyor teach the method as recited in claim 1, further comprising checking a timer for expiration, and if expired, disconnecting any originated call legs [0078] of Schwab.

Regarding **claim 7,** Schwab/Baiyor teach the method as recited in claim 6, further comprising routing the received call to the destination address using default processing when the timer has expired [0065-0067, 0107, 0102-0107] of Schwab.

Regarding **claim 8,** Schwab/Baiyor teach the method as recited in claim 1, further comprising detecting an answer by one of originated legs and completing a call connection [0065-0067, 0107, 0102-0107] of Schwab.

Regarding **claim 9,** Schwab/Baiyor teach the method as recited in claim 1, further comprising updating call statuses when one of the call legs is answered [0019, 0065] of Schwab.

Regarding **claim 12,** Schwab/Baiyor teach the method of claim 1, wherein the originating step originates a combination of simultaneously originated call legs and sequentially originated call legs as determined by the checking step [0006-0021] of Schwab.

Regarding **claims 13 and 25,** Schwab a system for processing calls, the system comprising: to redirect the call the second network element, and if not active, to apply default routing of the call to a subscriber destination address; the second network

element to check whether at least one of simultaneous and sequential routing is active, and if active, accessing a list listing a plurality of subscriber destinations; and a third network element to originate call legs for at least one destination in the list according to the results of the checking step (0006-0048, Fig. 2 to Fig. 3/Cellular Network, [0064-0070]), **but is silent on** a first network element to receive a call that species a destination address, the first network element operable to determine whether redirecting the call to a second network element is active, and if active.

However, Baiyor teaches the system and method of the variable alerting patterns for multiple leg telecommunication sessions, which is routing incoming calls outgoing calls (or legs) for a flexible alerting service over the different network topologies, and further determined that the sequential and simultaneous alerting in a wireless or wire-line communication system (Fig. 6 and Fig. 7, different networks, C12, L28-52, and C2, L4-16).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Schwab, such that a first network element to receive a call that species a destination address, the first network element operable to determine whether redirecting the call to a second network element is active, and if active, to provide a call routing that affords the subscriber a great flexibility, or user friendly of incoming calls or multiple leg calls.

Regarding **claim 14,** Schwab/Baiyor teach method of claim 13, wherein the third network element simultaneously originates a plurality of call legs if the checking step determines that simultaneous routing is active and sequentially originates a plurality of

calls if the checking step determines that sequential routing is active (Fig. 2 to fig. 3/ Cellular Network, [0006-0048, 0064-0070] of Schwab).

Regarding **claim 15,** Schwab/Baiyor teach the system as recited in claim 13, wherein the second network element provides for checking parameters that include at least one of time of day, day of week, and calling party identity, the parameters controlling conditions when the originating step occurs [0002-0003, 0029, 0046, 0065] of Schwab.

Regarding **claim 16,** Schwab/Baiyor teach he system as recited in claim 13, further comprising means for starting a timer for timing duration of the simultaneously originated call legs [0087, 0102] of Schwab.

Regarding **claim 17,** Schwab/Baiyor teach the system as recited in claim 16, further comprising means for checking the timer for expiration, and if expired, abandoning the simultaneously originated call legs [0078, 0103], and Fig. 5 of Schwab.

Regarding **claim 18,** Schwab/Baiyor teach the system as recited in claim 13, further comprising means for routing the received call to the destination address using default processing [0065-0067, 0107, 0102-0107] of Schwab.

Regarding **claim 19,** Schwab/Baiyor teach the system as recited in claim 13, further comprising a means for detecting an answer by an originated call leg and completing a call connection [0065-0067, 0107, 0102-0107] of Schwab.

Regarding **claim 20,** Schwab/Baiyor teach the system as recited in claim 13, further comprising a means for updating call statuses when one of the call legs is answered [0019, 0065] of Schwab.

Regarding **claim 24,** Schwab/Baiyor teach the system of claim 13, wherein the third network element originates a combination of simultaneously originated call legs and sequentially originated call legs (Fig. 2 to Fig. 3, /Cellular Network, [0006-0048]) of Schwab).

Regarding **claim 26,** Schwab/Baiyor teach the method of claim 1, wherein the list is configurable to designate the plurality of destinations in at least one dissimilar format [0007-0048] of Schwab.

Regarding **claim 27,** Schwab/Baiyor teach the method of claim 1, wherein the list is configurable by a subscriber associated with the destination address [0007-0048] of Schwab.

Regarding **claim 28,** Schwab/Baiyor teach the system of claim 13, wherein the list is configurable to designate the plurality of subscriber destinations in a plurality of formats [0007-0048] of Schwab.

Regarding **claim 29,** Schwab/Baiyor teach the system of claim 28, wherein the plurality o formats include at least two formats form the set of: a telephone number format, an internet protocol (IP) address format and a user identifier format (Fig. 2 to fig. 3/ Cellular Network, [0006-0048, 0064-0070] of Schwab).

Regarding **claim 30,** Schwab/Baiyor teach the system of claim 28, wherein the list is configurable by a subscriber associated with the destination address (Fig. 2 and Fig. 3), [0007-0048] of Schwab).

Regarding **claim 31,** Schwab/Baiyor teach the system of claim 13, wherein at least on of the destinations represents an address associated with a different subscriber device (Fig. 2 and Fig. 3), [0007-0048] of Schwab).

Regarding **claim 32,** Schwab/Baiyor teach the computer program product of claim 25, wherein the list is configurable by subscriber associated with the destination address and the list is configurable to designate the plurality of subscriber designations in different formats [0007-0048] different format=platforms of Schwab.

Regarding **claim 33,** Schwab/Baiyor teach the method of claim 1, wherein the step of determining whether redirecting of the call is active comprises the step of querying a local portability database of evaluating a terminating attempt advanced intelligent network trigger (Fig. 6 and Fig. 7, C12, L27-53] of Schwab).

Regarding **claim 34,** Schwab/Baiyor teach the method of claim 1, wherein the step of redirecting the call comprises redirecting to a soft-switch (Wire line, MSC switching center control by routing protocol (Fig. 6 and Fig. 7, C12, L27-53] Schwab).

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571)272-8131. The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael T. Vu

Supervisory DUC NGUYEN
PRIMARY EXAMINER